



City of Seattle

---

Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2307455  
**Applicant Name:** Greg Brant  
**Address of Proposal:** 8123 Delridge Way SW

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one (1) parcel into four (4) unit lots of land. Proposed unit sizes are: A) 2,682.7 sq. ft., B) 1,041.2 sq. ft., C) 666.8 sq. ft., and D) 2,039.9 sq. ft.

DPD Project #2303426 with Permit #736922 to establish use and construct two duplex townhouses with attached garages per plans was issued on August 4, 2003.

The following approval is required:

**Short Subdivision** – to subdivide one (1) existing parcel into four (4) unit lots of land.  
(Chapter 23.24, Seattle Municipal Code)

**SEPA DETERMINATION:**      ☒ Exempt   ☐ DNS   ☐ MDNS   ☐ EIS  
  
   ☐ DNS with conditions  
  
   ☐ DNS involving non-exempt grading or demolition or  
   involving another agency with jurisdiction.

**BACKGROUND DATA**

**Site and Area Description**

This rectangular shaped proposal site is approximately 6,430 square feet in area located in a Multifamily Residential Lowrise (L-1) zone. It is the fifth lot south of SW Elmgrove Street at the west side of Delridge Way SW. The proposal site has a 49.98 linear feet of front lot line on Delridge Way SW and 128.65 linear feet of lot depth. The site also abuts an improved alley at

the west with a 49.99 linear feet of alley lot line. Delridge Way SW is improved with paved roadway, concrete curbs/gutters, planting strips and concrete sidewalks. Vehicle access to the common parking area provided for all the units is directly off of the existing alley. A five-foot (5') wide common pedestrian easement is also provided to access the parking area from each unit lot. Each unit lot has its own private open space with landscaping and screening for privacy.

#### Development in the Vicinity

Zoning designations in the immediate vicinity of the site are L-1 to the north, SF5000 to the east beyond the existing alley between Delridge Way SW and 20<sup>th</sup> Avenue SW, and to the south beyond SW Thistle Street is multifamily (L-2) zone. To the west, beyond the existing alley between 22<sup>nd</sup> Avenue and Delridge Way SW, the zone is SF5000. The development directly to the north is mostly single family residences but farther to the northwest, a large apartment complex has been constructed. Across Delridge Way SW to the east, the development is dominated by duplexes, triplexes and four-plexes with a few existing single family residences. Beyond the alley to the east are mostly existing single family residences. To the south of the site, there are still a few single family dwellings but beyond SW Thistle Street the development is mostly multifamily residences. Development to the west of the site beyond the alley is mostly single family residences.

#### Proposal Description

The applicant proposes to short subdivide one parcel of land into four (4) unit lots. Proposed unit lot sizes are: Unit Lot A) 2,682.7 square feet, Unit Lot B) 1,041.2 square feet, Unit Lot C) 666.8 square feet, and Unit Lot D) 2,039.9 square feet.

#### Public Comments

Notice was published on December 4, 2003 and the comment period ended on December 17, 2003. Only one public comment was received by DPD and there was no request made to extend the comment period. The comment letter contends that the public opinion at this time is not making a difference because the proposed building on the site is already being built and now at the stage of installing the exterior wall sidings. This unit lot subdivision is only for the purpose of sale or lease of the unit lots. Building permit #736922 was approved previously for construction of the project and is now proposed to be subdivided as unit lots under the provisions of Section 23.24.045 of the Seattle Municipal Code. Public comment or feedback that addresses this unit lot subdivision (not the construction) is considered prior to denying or granting this type of platting action.

#### ANALYSIS

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all the following facts and conditions are found to exist. The findings which follow are based upon the information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from the Seattle Public Utilities, Seattle Fire Department, the Seattle City Light, and the review by the Land Use Planner.

***1. Conformance to the applicable provisions and requirements of the Land Use Code;***

The existing parent lot subject to this subdivision conforms to all the development standards of the L-1 zone. The parent lot's existing configuration provides adequate buildable area to the required density, lot coverage requirements, setbacks, height and other land use code development standards. The unit lots proposed by this subdivision conform to the standards for unit lot subdivision per SMC 23.24.045 and the provision applicable to the unit lot subdivisions. Any new development must conform to the land use provisions and code requirements at the time of the application.

***2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;***

All the Unit Lots A, B, C, and D are provided with a common parking area with vehicle ingress/egress directly from and to the existing improved alley. Unit lot D has provided a common parking easement for the benefit of all unit lots. A common pedestrian easement to access parking, the alley and the street is provided by all unit lots. The vehicle backing/maneuvering area for the angled parking spaces is within the existing alley right-of-way.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

The Seattle City Light has reviewed this short subdivision application and has indicated that an easement is required for electrical service to the proposed unit lots. This shall be an overhead/underground easement on the north portion of Unit Lot D as described in the Seattle City Light memorandum P.M. #240336-1-011.

***3. Adequacy of Drainage, water supply, and sanitary sewage disposal;***

Storm water will be discharged through the existing concrete-paved alley by sheet flow leading into the existing detention system located within the alley right-of-way at its intersection with SW Elmgrove Street. Plan review requirements were made at the time of the building permit application and construction of the three-unit townhouse under Permit # 736922 which was issued on August 4, 2003.

Seattle Public Utilities has reviewed this unit lot subdivision application and approved a Water Availability Certificate No. 2003-1273 on November 25, 2003. All conditions on the certificate must be met prior to receiving water service.

An 8-inch public sanitary sewer (PSS) in the alley right-of-way is available for sanitary discharge from all the proposed parcels. The utility easement included in the unit lot subdivision proposal is adequate to allow for side sewer connections to the PSS.

***4. Whether the public use and interests are served by permitting the proposal;***

The proposed unit lot subdivision is consistent with the relevant L-1 zone requirements and meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in the analysis and decision. The public use and interests are served by permitting the proposed subdivision of land.

***5. Conformance to the applicability provisions of SMC Section 25.09.240, short subdivision and subdivision in environmentally critical area;***

The site is not located in an environmentally critical area.

***6. Whether the proposal is designed to maximize the retention of existing trees;***

Section 23.45.015 of the Seattle Municipal Code provides that trees shall be required when new lowrise multifamily dwelling units are constructed and this requirement may be met by using tree preservation option or tree planting option. A cedar tree with thirty six-inch (36") trunk diameter, as measured four and one-half feet (4.5') from the ground, is existing at the southeast corner of the site. A pine tree with a twenty eight-inch (28") trunk diameter is also existing at the rear portion of the proposed Unit Lot C within the permitted buildable area and close to the proposed new lot line with Unit Lot D. The trunk proximity with the proposed upper floor building line measures only about six feet (6') and that the root system and its canopy of the branches broadly spread into the building envelop, thus creating a significant impact to the potential development of the property. An arborist was consulted by the owner of the property to inspect and assess the existing pine tree. It was determined that the tree is not a western white pine (*Pinus monticola*) that would have qualified to be designated as an exceptional tree worth preserving.

The applicant elected to use the tree preservation option by retaining the cedar tree at the southeast corner of the site, but removed the pine tree to maintain the development potential of the property. The size of the cedar tree being preserved exceeds the minimum number of caliper inches required by Code. In addition, the applicant will plant five (5) more trees on site consistent with the approved landscape plan included with the issued building permit. The added trees are also being located appropriately to provide screening from the common parking area and to enhance more privacy between the existing single family dwelling and the new three-unit townhouse. Tree removal and new planting has been approved in conjunction with previously approved redevelopment. This application for subdivision does not anticipate any tree removal. Therefore, this proposal maximizes the retention of trees.

***7. Conformance to the provisions of Section 23.24.045, Unit Lot Subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing or single family housing;***

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances, some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets the development standards. However, as a result of the subdivision, development on the individual lots may be nonconforming. To assure that future owners have consecutive notice that the additional development may be limited due to non-conformities, the following statement shall be required to be included as a note on the final unit lot subdivision: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual lot in this subdivision may be limited as a result of applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code".

## **DECISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

## **CONDITIONS**

### **Prior to Recording**

The owner(s) and responsible party(s) shall:

1. Provide the final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcels or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with the appropriate state statute. The property corners set shall be identified on the plat and the encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the property lines. All existing structures, principal or accessory, shall be shown on the face of the plat and their distances to the proposed lot lines dimensioned. A licensed land surveyor shall stamp and sign the short plat drawings.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual lot in this subdivision may be limited as a result of the application of the development standards to the parent lot pursuant to the applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code".
3. Provide easement as required by the Seattle City Light for electrical service to the proposed lots per Seattle City Light memorandum P.M. #240336-1-011. Show this easement on the face of the plat.
4. Post an address sign to benefit all units at a location visible from Delridge Way SW and provide an easement, a covenant, or any other legal agreements to ensure that the address signage is maintained.

Signature: (signature on file) Date: January 5, 2004  
Edgardo R. Manlangit, Land Use Planner  
Department of Planning and Development  
Land Use Services